AN ACT concerning education; relating to school district capital improvements state aid determination; amending K.S.A. 2019 Supp. 72-5462 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2019 Supp. 72-5462 is hereby amended to read as follows: 72-5462. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

1. (1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:
   (A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest $1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);
   (B) determine the median AVPP of all school districts;
   (C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal $1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;
   (D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each $1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of
the median AVPP by one percentage point for each $1,000 interval below
the amount of the median AVPP. Except as provided by K.S.A. 72-5463,
and amendments thereto, the state aid percentage factor of a school district
is the percentage assigned to the schedule amount that is equal to the
amount of the AVPP of the school district. The state aid percentage factor
of a school district shall not exceed 100%. The state aid computation
percentage is 25%;
(E) determine the amount of payments that a school district is
obligated to make from its bond and interest fund attributable to general
obligation bonds approved for issuance at an election held prior to July 1,
2015; and
(F) multiply the amount determined under subsection (b)(1)(E) by the
applicable state aid percentage factor.
(2) For general obligation bonds approved for issuance at an election
held on or after July 1, 2015, the state board of education shall:
(A) Determine the amount of the AVPP of each school district in the
state for the preceding school year and round such amount to the nearest
$1,000. The rounded amount is the AVPP of a school district for the
purposes of this subsection (b)(2);
(B) except as provided in subsection (b)(8), prepare a schedule of
dollar amounts using the amount of the AVPP of the school district with
the lowest AVPP of all school districts as the point of beginning. The
schedule of dollar amounts shall range upward in equal $1,000 intervals
from the point of beginning to and including an amount that is equal to the
amount of the AVPP of the school district with the highest AVPP of all
school districts;
(C) determine a state aid percentage factor for each school district by
assigning a state aid computation percentage to the amount of the lowest
AVPP shown on the schedule and decreasing the state aid computation
percentage assigned to the amount of the lowest AVPP by one percentage
point for each $1,000 interval above the amount of the lowest AVPP.
Except as provided by K.S.A. 72-5463, and amendments thereto, the state
aid percentage factor of a school district is the percentage assigned to the
schedule amount that is equal to the amount of the AVPP of the school
district. The state aid computation percentage is 75%;
(D) determine the amount of payments that a school district is
obligated to make from its bond and interest fund attributable to general
obligation bonds approved for issuance at an election held on or after July
1, 2015; and
(E) multiply the amount determined under subsection (b)(2)(D) by
the applicable state aid percentage factor.
(3) For general obligation bonds approved for issuance at an election
held on or before June 30, 2016, the sum of the amount determined under
subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) (A) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(B) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(C) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology;

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(D) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) Except as provided in subsections (b)(6) through (b)(8),
the sum of the amounts determined under subsection (b)(3) and the amount
determined or allocated to the district by the state board of education
pursuant to subsection (b)(4), is the amount of payment the school district
is entitled to receive from the school district capital improvements fund in
the school year.

(6) A school district that had an enrollment of less than 260 students
in the school year immediately preceding the school year in which an
election is held to approve the issuance of general obligation bonds shall
not be entitled to receive payments from the school district capital
improvements fund unless such school district applied for and received
approval from the state board of education to issue such bonds prior to
holding an election to approve such bond issuance. The provisions of this
paragraph shall apply to general obligation bonds approved for issuance at
an election held on or after July 1, 2017, that are issued for the purpose of
financing the construction of new school facilities.

(7) For general obligation bonds approved for issuance at an election
held on or after July 1, 2017, in determining the amount under subsection
(b)(2)(D), the state board shall exclude payments for any capital
improvement project, or portion thereof, that proposes to construct,
reconstruct or remodel a facility that would be used primarily for
extracurricular activities, unless the construction, reconstruction or
remodeling of such facility is necessary due to concerns relating to the
safety of the current facility or disability access to such facility as
demonstrated by a state fire marshal report, an inspection under the
Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar
evaluation.

(8) For general obligation bonds approved for issuance at an
election held on or after July 1, 2020, in preparing the schedule of dollar
amounts under subsection (b)(2)(B), the state board shall exclude unified
school district No. 207, Fort Leavenworth, from such schedule, and the
amount of the AVPP of the school district with the lowest AVPP of all
remaining school districts shall be the point of beginning.

(c) The state board of education shall certify to the director of
accounts and reports the entitlements of school districts determined under
the provisions of subsection (b), and an amount equal thereto shall be
transferred by the director from the state general fund to the school district
capital improvements fund for distribution to school districts. All transfers
made in accordance with the provisions of this subsection shall be
considered to be demand transfers from the state general fund, except that
all such transfers during the fiscal years ending June 30, 2020, June 30,
2021, and June 30, 2022, shall be considered to be revenue transfers from
the state general fund.

(d) Payments from the school district capital improvements fund shall
be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C) (b)(4)(D).

Sec. 2. K.S.A. 2019 Supp. 72-5462 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.